

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
GOVERNMENT OPERATIONS**

Tuesday, April 18, 2006

10:30 a.m.

Room 326 House Office Building

The House Standing Committee on Government Operations was called to order by **Representative Leon Drolet**, Chair.

MEMBERS PRESENT: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons and Tobocman.

MEMBERS ABSENT/EXCUSED: Representatives Lipsey and Lemmons, III.

Chairman Drolet laid **HB 5817, HB 5818, HB 5819, and HB 5820** before the committee:

HB 5817	Tobocman	Land use; condemnation; payments to residential occupants who move due to condemnation actions; increase maximum.
HB 5818	Drolet	Land use; condemnation; reimbursement for witness fees in certain actions regarding condemnation; provide for.
HB 5819	Garfield	Land use; condemnation; timing of compensation payments in condemnation actions; revise.
HB 5820	Lemmons, III	Land use; condemnation; provisions regarding escrowed compensation dedicated to cost of environmental remediation; revise.

TESTIMONY

Representative Tobocman, sponsor of **HB 5817**, explained his bill to the committee.

Brad Williams, representing the Michigan Department of Transportation, testified before the committee on the package of bills.

Brad Ward, representing the Michigan Association of Realtors, testified before the committee in support of the bills.

Matt Delong, representing the Michigan Department of Transportation, Real Estate Division, testified before the committee in opposition to the bills.

Eric Smith, representing the Michigan Department of Transportation, Real Estate Division, testified before the committee in opposition to the bills.

Lee Schwartz, representing the Michigan Association of Home Builders, turned in a testimony card in support of the bills but did not wish to speak.

Andy Schor, representing the Michigan Municipal League, turned in a testimony card in opposition to the bills but did not wish to speak.

Joseph Rivet, representing the Michigan Association of County Drain Commissioners, turned in a testimony card in support of the bills as amended but did not wish to speak.

Representative Tobocman moved to report **HB 5817** with recommendation. The motion was supported by **Representative Garfield**.

The motion prevailed by a vote **6-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

Representative Tobocman moved to adopt the following amendment to **HB 5818**. The motion was supported by **Representative Garfield**.

1. Amend page 3, line 8, after "**ANY**" by striking out "**PROCEEDING**" and inserting "**MATTER**".
2. Amend page 3, line 8, after "**ACT**" by striking out "**BROUGHT BY**" and inserting "**INVOLVING THE RELOCATION OF**".
3. Amend page 3, line 9, by striking out "**PLAINTIFF**" and inserting "**PERSON**".
4. Amend page 3, line 10, after "**AWARD**" by inserting "**REASONABLE**".
5. Amend page 3, line 13, after "**THE**" by striking out "**PLAINTIFF**" and inserting "**INDIGENT PERSON**".
6. Amend page 3, line 15, after "**SUBSECTION,**" by striking out ""**INDIGENT**"" and inserting ""**INDIGENT PERSON**"".
7. Amend page 3, line 16, after "**BELOW**" by striking out "**125%**" and inserting "**200%**".

The motion prevailed by a vote **6-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

Representative Tobocman moved to report **HB 5818** and an (**H-1**) substitute with recommendation. The motion was supported by **Representative Sheen**.

The motion prevailed by a vote **6-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

Representative Tobocman moved to adopt the following amendment to **HB 5819**. The motion was supported by **Representative Garfield**.

1. Amend page 2, line 1, after "need." by striking out "**HOWEVER**" and inserting "**IF THE SURRENDER OF POSSESSION OF PROPERTY REQUIRES RELOCATION**".
2. Amend page 2, line 2, after "**OWNER**" by inserting "**OR RELOCATED PERSON**".
3. Amend page 2, line 10, after "**DWELLING**" by inserting a comma and "**NOT TO EXCEED 180 DAYS FROM THE DATE MOVING EXPENSES ARE PAID,**".

The motion prevailed by a vote **6-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

Representative Garfield moved to report **HB 5819** and an **(H-1)** substitute with recommendation. The motion was supported by **Representative Tobocman**.

The motion prevailed by a vote **6-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

Representative Tobocman moved to report **HB 5820** with recommendation. The motion was supported by **Representative Gosselin**.

The motion prevailed by a vote **6-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman.

Nays: None.

Pass: None.

Representative Garfield moved to adopt the minutes of the **March 7, 2006** meeting. The motion was supported by **Representative Gosselin**. There being no objection, the motion carried by unanimous consent.

Representative Tobocman moved to excuse absent members. The motion was supported by **Representative Sheen**. There being no objection, the motion carried by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at 11:12 a.m.

Representative Leon Drolet, Chair
House Standing Committee on Government Operations
Eric Esch
Acting Committee Clerk
517-373-0070
42 Minutes